

1 15A NCAC 13A .0108 is proposed for amendment as follows:

2
3 **15A NCAC 13A .0108 STDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE - PART**
4 **263**

5 (a) 40 CFR 263.10 through 263.12 (Subpart A), "General", are incorporated by reference including subsequent
6 amendments and editions.

7 (b) 40 CFR 263.20 through ~~263.22~~ 263.25 (Subpart B), "Compliance With the Manifest System and Record keeping",
8 are incorporated by reference including subsequent amendments and editions.

9 (c) Upon discovering a significant manifest discrepancy, the transporter must attempt to reconcile the discrepancy with
10 the waste generator (e.g. with telephone conversations). If the discrepancy is not resolved within 15 days after receiving
11 the waste, the transporter must immediately submit to the Department a letter describing the discrepancy and attempts to
12 reconcile it with a copy of the manifest or shipping paper at issue.

13 (d) Manifest discrepancies are differences between the quantity or type of hazardous waste designated on the manifest or
14 shipping paper, and the quantity or type of hazardous waste a transporter actually transports. Significant discrepancies in
15 quantity are: for bulk waste, variations greater than 10 percent in weight; and, for batch waste, any variation in piece
16 count (e.g. a discrepancy of one drum in a truckload). Significant discrepancies in type are obvious differences which
17 can be discovered by inspection or waste analysis (e.g. waste solvent substituted for waste acid, or toxic constituents not
18 reported on the manifest or shipping paper).

19 (e) 40 CFR 263.30 through 263.31 (Subpart C), "Hazardous Waste Discharges", are incorporated by reference including
20 subsequent amendments and editions.

21
22 *History Note: Authority G.S. 130A-294(c); 150B-21.6;*
23 *Eff. November 19, 1980;*
24 *Amended Eff. June 1, 1988; August 1, 1987; May 1, 1987; October 1, 1986;*
25 *Transferred and Recodified from 10 NCAC 10F .0031 Eff. April 4, 1990;*
26 *Recodified from 15A NCAC 13A .0009 Eff. August 30, 1990;*
27 *Amended Eff. April 1, 1993; October 1, 1990;*
28 *Recodified from 15A NCAC 13A .0008 Eff. December 20, 1996;*
29 *Amended Eff. August 1, 2000.*
30